



Studien 262-KGB
Zi/D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : WILHELM F. MAIER
SERIAL NO. : 09/254,525
FILED : March 8, 1999
FOR : USE OF MICROPOROUS INORGANIC MEMBRANE
CATALYSTS
ART UNIT : 1754
EXAMINER : S. Hendrickson

February 9, 2001

Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

RECEIVED
FEB 16 2001
TECHNOLOGY CENTER 1700

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

SIR:

On January 2, 2001, Applicants received a Notice of Abandonment in the above-identified application, which indicated that the application was abandoned because of Applicant's failure to respond to the Office letter, mailed May 15, 2000.

Applicants hereby petition the Commissioner to exercise his authority and revive this application in view of the following facts.

On August 8, 2000, Applicants mailed the following papers to the Patent Office:

-Transmittal Form

-Amendment Under 37 CFR 1.111

These papers were received in the Patent Office mail room on August 11, 2000. As proof of this fact, a copy of the return postcard bearing the receipt date acknowledgment stamp of the Patent Office mail room is attached hereto. Please note that the receipt date is acknowledged to be August 11, 2000, for all items listed. This postcard, in and of itself, constitutes prima facie evidence that the items listed were received in the Patent Office on the date acknowledged. See MPEP 503.

In case these papers have been inadvertently lost within the Patent Office, Applicants are enclosing copies of these papers to complete the official file. The undersigned hereby certifies that the copies submitted are true copies of these papers as they were originally filed.

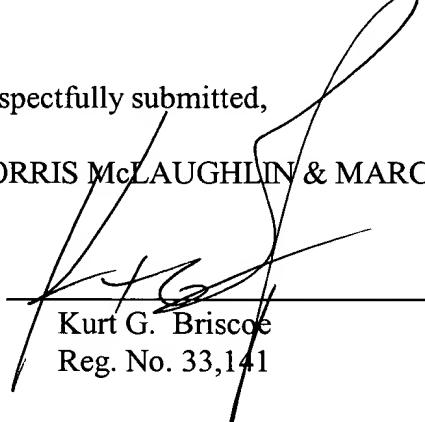
The Commissioner should note that the Amendment contains on page 10 a duly executed certificate of mailing certifying that paper was deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. Pursuant to 37 CFR 1.8(a), this paper must be considered as filed on August 8, 2000. This filing is, moreover, timely since the filing date of August 8, 2000 is before the response due date of August 15, 2000.

In short, Applicant submit that a timely response was, in fact, filed by Applicant and that, therefore, the application should not have been held abandoned.

Applicant requests, therefore, that the Commissioner exercise his authority and return this application to active status.

Applicant does not believe that a fee is required for this petition. However, should the Commissioner determine that any fee is, in fact, due, he is hereby authorized to charge the fee due to Deposit Account No. 14-1263.

Early and favorable action is earnestly solicited.

Respectfully submitted,
NORRIS McLAUGHLIN & MARCUS, P.A.
By 
Kurt G. Briscoe
Reg. No. 33,141

KGB:ja

Enc.: Copy of Postcard showing receipt of documents
Copy of Transmittal Form
Copy of Amendment date August 8, 2000

220 East 42nd Street
30th Floor
New York, New York 10017
(212) 808-0700

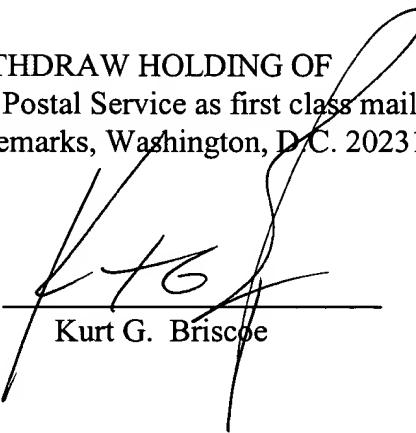


WILHELM F. MAIER, ET AL.
USSN 09/254,525

CERTIFICATE OF MAILING

I hereby certify that the foregoing PETITION TO WITHDRAW HOLDING OF ABANDONMENT is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on February 9, 2001.

By


Kurt G. Briscoe

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CASE # Studien 262-KGB

Serial No. ECH 09/254,525

DATE MAILED: August 8, 2000

DATE DUE:

The stamp of the Patent Office hereon may be taken as acknowledgement of receipt, on the date stamped, of the following:

-Transmittal Form
-Amendment Under 37 CFR 1.111

